

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 3, 1927.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; absent, Councilman Barker.

The Minutes of the last meeting were read and Councilman Pannell moved that same be adopted. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none, Councilman Barker absent.

Mayor McFadden laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the fines in each of the following numbered causes, for violation of the one hour parking law and parking in dead line, having been paid, the costs in said following causes be and the same are hereby remitted:

Cause No. 23260	-	H. W. Adkins;
Cause No. 23276	-	R. L. Slaughter;
Cause No. 23277	-	Lizzie Gissell
Cause No. 23278	-	J. L. Vaughn
Cause No. 23302	-	W. L. Bradfield.

Councilman Reed moved that the above resolution be adopted. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed and Steck, 4; nays, none, Councilman Barker absent.

Mayor McFadden laid before the Council the following resolution:

A RESOLUTION AMENDING CERTAIN PARTICULARS
IN RATE "C" AND RATE "E" IN THE SCHEDULE
OF RATES FOR ELECTRICAL SERVICE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the provisions under "Guaranteed Monthly Bill" in rate "C" of the Schedule of rates for electrical service, adopted by the City Council on January 27, 1927, and recorded in Minute Book 10, at pages 30-33, be amended so as to hereafter read as follows:

GUARANTEED MONTHLY BILL.

\$2.00 net per month for minimum of 500 watts of connected lighting and power load. If the consumer shall have a greater connected lighting and power load than above amount, then consumer's minimum bill shall be calculated at 10¢ per net scheduled lighting KWH per mo.

The connected lighting load shall be based on 100 watts per room (bath rooms, closets, halls, attics, and the like, are not considered as rooms) The connected power load shall be based on the rated capacity of such appliances and motors.

BE IT FURTHER RESOLVED:

That the provisions under "Minimum Charge", "Maximum Demand" and "Application" under rate "E", of the schedule of rates above mentioned be amended and added to so as to hereafter read as follows:

MINIMUM CHARGE

\$1.00 net per month per horse-power, or fraction thereof, or its equivalent of 750 watts of maximum demand. No monthly charge less than \$3.00 will be made under the rate.

MAXIMUM DEMAND

The "Maximum Demand" as used in this schedule is assumed to be equal to a certain percentage of the total capacity in horse-power of motors connected, as indicated by the manufacturers standard normal rating, such percentage varying according to the following:

Installations under 10 HP where only one motor is used -----	100%
Installations under 10 HP where more than one motor is used-----	80%
Installations from 10 HP to 50 HP both inclusive, irrespective of number of motors -----	70%
Installations over 50 HP, irrespective of number of Motors-----	60%

Application

This rate applies to electric service for industrial motors, battery charging, large advertising signs or bill boards.

Councilman Reed moved the adoption of the above resolution. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none, Councilman Barker absent.

City Manager Johnson was authorized by the City Council to renew the membership of the City of Austin in the League of Texas Municipalities .

City Manager Johnson presented a request from the Methodist City Mission Board, asking that the charity rates for water and light be granted them at their Mexican Mission at 801 East Avenue. Mayor McFadden moved that they be granted the half rate allowed for churches. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none, Councilman Barker absent.

Upon the advice of the City Attorney that the City had no legal right to grant to the Little Theatre organization free water and light service , Councilman Reed moved that the request of said organization for such concession be not allowed. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none, Councilman Barker absent.

Councilman Barker entered the Council Chamber.

City Manager Johnson laid before the Council a proposition to install, for better fire protection , larger water mains in the business district of the City, at a cost of approximately Twenty Thousand Dollars (\$20,000.00), and stated that such installation would result in a saving of something like Ten Thousand, Five Hundred Dollars per year in the City's fire insurance rates. Councilman Reed moved that the Council approve the project and that the City Attorney be instructed to prepare an ordinance covering the matter. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Barker, Pannell, Reed, and Steck, 5; nays, none.

City Manager Johnson laid before the Council a proposal to build an additional power line from the Power Plant to East Austin, at an approximate cost of \$15,000.00. Councilman Reed moved that the Council approve the plan and that same be submitted to the Council in proper form for ratification at the earliest practicable date. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Barker, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, Mabel E. Berry is the owner of 41½ x 54 feet, the Northwest corner of the Northwest one-quarter of Outlot 38, Division "E", City of Austin, Texas, and was such owner on January 1st, 1925; and

WHEREAS, said owner, who was then a non-resident of Austin, made several attempts prior to June 1st, 1926, to ascertain the amount of her taxes for the year 1925, but was unable to get such information from the City Tax office, and on June 1st, 1926, a penalty of 5% was imposed on said taxes ; and

WHEREAS, said owner has made affidavit of the above facts, which is hereto attached,

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL:

That the penalty on said taxes is hereby remitted.

Councilman Reed moved the adoption of the above resolution. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Barker, Pannell, Reed, and Steck, 5; nays, none.

Councilman Reed moved that the request of the Committee on the Texas Power & Light Proposal that the City employ an expert technical advisor in the negotiations of the City with the Texas Power & Light Company be granted and that said Committee be requested to recommend such an expert to the Council. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Barker, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

A RESOLUTION ORDERING THE IMPROVEMENT OF A PORTION OF RIO GRANDE STREET, IN THE CITY OF AUSTIN, TEXAS, AND APPROVING THE SPECIFICATIONS, PROPOSAL, CONTRACT AND BOND THEREFOR.

WHEREAS, it is deemed necessary to improve the following street of the City of Austin, within the following limits, to-wit: Rio Grande Street, between 15th & 19th Streets, and abutting the west side of the S. W. 1/2 of Outlot 26, in Division "E"; and

WHEREAS, the City Engineer of the City of Austin has filed with the City Council complete specifications for the performance of said work by paving said street, within the limits above named, with Bitulithic pavement; and

WHEREAS, said company has filed with the City Council its proposal to do said work at and for the following prices, to-wit:

258 square yards of 1 1/2" Bitulithic surface pavement on concrete base, as specified, complete in place, for \$3.25 per square yard -----	\$838.50;
20 cubic yards extra rock excavations for \$3.00 per cubic yard -----	60.00
225 square feet, concrete gutter, as specified, complete in place, for \$.25 per square foot -----	56.25
150 lineal feet of concrete curb, as specified, complete in place, for \$.60 per lineal foot -----	90.00

and

WHEREAS, the City Attorney has prepared a contract for said work between the City of Austin and said Southwest Bitulithic Company, and also a bond for the construction and maintenance of said work by said Company with the United States Fidelity & Guaranty Co. as surety, and has submitted both of said instruments to the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT said street be improved by paving the same between gutters with the Bitulithic pavement, within the limits above named, all as set forth in said specifications.
2. THAT the said specifications for said work prepared by the City Engineer be and the same are hereby adopted; that the proposal of the said Southwest Bitulithic Company to perform said work be accepted, and that said work be let to said Company ; that the form of contract as prepared and submitted by the City Attorney for the performance of said work on said street be and the same is hereby approved; that the City Manager of the City of Austin be and he is hereby directed upon the taking effect hereof to execute said contract on behalf of the City of Austin and in its name, and the City

Clerk to attest the same with the impress of the corporate seal; that the form of construction and maintenance bond, as submitted by the City Attorney for execution by said Company in connection with the work of improving said street within said limits, be and the same is hereby approved, and the National Surety Company of New York be and the same is hereby approved as the surety thereon, and that said bond be accepted by the City upon its execution by said principal and surety.

3. That the cost of said improvement of said street, within said limits, shall be paid to said Company by the owner or owners of property abutting thereon, and shall be assessed against the property of such owner or owners, in accordance with the terms of the charter and ordinances of the City of Austin; provided, that no assessment shall be made against any owner or his property in excess of the actual benefits to said property in enhanced value by means of said improvements nor until after notice and hearing to said owner as provided by said charter and ordinances.

That payment to said Company for the performance of said work shall be made in accordance with said contract and specification hereby adopted.

4. That this resolution shall remain on file with the City Clerk for public inspection for one week before the final passage or adoption thereof, and thereafter shall be finally adopted.

The above resolution was read and laid over.

Mayor McFadden laid before the Council the following resolution:

A RESOLUTION ORDERING THE IMPROVEMENT OF
A PORTION OF WEST FIFTH STREET IN THE CITY
OF AUSTIN, TEXAS, AND APPROVING THE SPECIFI-
CATIONS, PROPOSAL, CONTRACT AND BOND THEREFOR.

WHEREAS, it is deemed necessary to improve the following street of the City of Austin, within the following limits, to-wit: West Fifth Street, from the west line of its intersection with Lavaca Street to the west line of its intersection with Guadalupe Street; and

WHEREAS, the City Engineer of the City of Austin has filed with the City Council complete specifications for the performance of said work by paving said street, within the limits above named, with Bitulithic pavement; and

WHEREAS, Southwest Bitulithic Company has filed with the City Council its proposal to do said work at and for the following prices, to-wit:

1490 square yards of 2" Bitulithic surface pavement on concrete base, as specified, complete in place, for \$3.25 per square yard -----	\$4842.50;
822 square feet, concrete gutter, as specified, complete in place, for \$.25 per square foot-----	220.50
138 lineal feet of concrete curb, as specified, complete in place, for \$.60 per lineal foot-----	82.80

and

WHEREAS, the City Attorney has prepared a contract for said work between the City of Austin and said Southwest Bitulithic Company, and also a bond for the construction and maintenance of said work by said Company with the United States Fidelity & Guaranty Co. as surety, and has submitted both of said instruments to the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT said street be improved by paving the same between gutters with the Bitulithic pavement, within the limits above named, all as set forth in said specifications.

2. THAT the said specifications for said work prepared by the City Engineer be and the same are hereby adopted; that the proposal of the said Southwest Bitulithic Company to perform said work be accepted, and that said work be let to said Company; that the form of contract as prepared and submitted by the City Attorney for the performance of said work on said street be and the same is hereby approved; that the City Manager of the City of Austin be and he is hereby directed upon the taking effect hereof to execute said contract on behalf of the City of Austin and in its name, and the City Clerk to attest the same with the impress of the corporate seal; that the form of construction and maintenance bond, as submitted by the City Attorney for execution by said Company in connection with the work of improving said street within said limits, be and the same is hereby approved, and the National Surety Company of New York be and the same is hereby approved as the surety thereon, and that said bond be accepted by the City upon its execution by said principal and surety.

3. THAT the cost of said improvements on said street within said limits shall be paid as follows, to-wit:

The City of Austin shall pay to said Company the whole cost of improving the intersection of said West Fifth Street with Guadalupe Street.

The remainder of the cost of improving said street shall be paid to said Company by the owners of the property abutting thereon, and shall be assessed against them and their property, respectively, in accordance with the terms of the charter and the ordinances of the City of Austin; provided, that no assessment shall be made against any owner or his property in excess of the actual benefits to said property in enhanced value by means of said improvements nor until after notice and hearing to said owners as provided by said charter and ordinances.

That payment to said Company for the performance of said work shall be made in accordance with said contract and specifications hereby adopted.

4. That this resolution shall remain on file with the City Clerk for public inspection for one week before the final passage or adoption thereof, and shall then be finally adopted.

The above resolution was read and laid over.

Mayor McFadden introduced the following resolution:

A RESOLUTION ORDERING THE IMPROVEMENT OF
A PORTION OF WEST AVENUE IN THE CITY OF
AUSTIN, TEXAS, AND APPROVING THE SPECIFICATIONS,
PROPOSAL, CONTRACT AND BOND THEREFOR.

WHEREAS, it is deemed necessary to improve the following street of the City of Austin, within the following limits, to-wit: West Avenue, between 7th and 8th Streets and immediately abutting on 27 x 64 feet, the S. W. corner of 7 and the S. 1/2 of Lot 8, Original City, Block 77; and

WHEREAS, the City Engineer of the City of Austin has filed with the City Council complete specifications for the performance of said work by paving said street, within the limits above named, with Bitulithic pavement; and

WHEREAS, Southwest Bitulithic Company has filed with the City Council its proposal to do said work at and for the following prices, to-wit:

133 square yards of 1½" Bitulithic surface
pavement on concrete base, as specified,
complete in place, for \$3.25 per square yard -----\$432.25;

104 square feet of concrete gutter, as specified,
complete in place, for \$.25 per square foot - 26.00

and

WHEREAS, the City Attorney has prepared a contract for said work between the City of Austin and said Southwest Bitulithic Company, and also a bond for the construction and maintenance of said work by said Company with the United States Fidelity & Guaranty Co. as surety, and has submitted both of said instruments to the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT said street be improved by paving the same between gutters with the Bitulithic pavement, within the limits above named, all as set forth in said specifications.

2. THAT the said specifications for said work prepared by the City Engineer be and the same are hereby adopted; that the proposal of the said Southwest Bitulithic Company to perform said work be accepted, and that said work be let to said Company; that the form of contract as prepared and submitted by the City Attorney for the performance of said work on said street be and the same is hereby approved; that the City Manager of the City of Austin be and he is hereby directed upon the taking effect hereof to execute said contract on behalf of the City of Austin and in its name, and the City Clerk to attest the same with the impress of the corporate seal; that the form of construction and maintenance bond, as submitted by the City Attorney for execution by said Company in connection with the work of improving said street within said limits be and the same is hereby approved, and the National Surety Company of New York be and the same is hereby approved as the surety thereon, and that said bond be accepted by the City upon its execution by said principal and surety.

3. THAT the cost of said improvement of said street, within said limits, shall be paid to said Company by the owner or owners of property abutting thereon, and shall be assessed against the property of such owner or owners, in accordance with the terms of the charter and ordinances of the City of Austin; provided, that no assessment shall be made against any owner or his property in excess of the actual benefits to said property in enhanced value by means of said improvements nor until after notice and hearing to said owner as provided by said charter and ordinances.

4. That payment to said Company for the performance of said work shall be made in accordance with said contract and specification hereby adopted.

5. That this resolution shall remain on file with the City Clerk for public inspection for one week before the final passage or adoption thereof, and thereafter shall be finally adopted.

The above resolution was read and laid over.

Mayor McFadden laid before the Council the following resolution:

A RESOLUTION ORDERING IMPROVEMENT OF A PORTION OF RED RIVER STREET, IN THE CITY OF AUSTIN, TEXAS, AND APPROVING THE SPECIFICATIONS, PROPOSAL, CONTRACT AND BOND THEREFOR.

WHEREAS, it is deemed necessary to improve the following street of the City of Austin, within the following limits, to-wit: Red River Street, between 13th and 14th Streets, and immediately abutting on Lot 5, Original City, Block 164; and

WHEREAS, the City Engineer of the City of Austin has filed with the City Council complete specifications for the performance of said work by paving said street, within the limits above named, with Bitulithic pavement; and

WHEREAS, Southwest Bitulithic Company has filed with the City Council

its proposal to do said work at and for the following prices, to-wit:

140 square yards of 1½" Bitulithic surface pavement on concrete base, as specified, complete in place, for \$3.25 per square yard -----	\$455.00
20 cubic yards extra rock excavation for \$3.00 per cubic yard -----	60.00
102 square feet of concrete gutter, as specified, complete in place, at \$.25 per square foot -----	25.50
68 lineal feet of concrete curb, as specified, complete in place, for \$.60 per lineal foot -----	40.50;

and

WHEREAS, the City Attorney has prepared a contract for said work between the City of Austin and said Southwest Bitulithic Company, and also a bond for the construction and maintenance of said work by said Company with the United States Fidelity & Guaranty Co. as surety, and has submitted both of said instruments to the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT said street be improved by paving the same between gutters with the Bitulithic pavement, within the limits above named, all as set forth in said specifications.
 2. THAT the said specifications for said work prepared by the City Engineer be and the same are hereby adopted; that the proposal of the said Southwest Bitulithic Company to perform said work be accepted, and that said work be let to said Company; that the form of contract as prepared and submitted by the City Attorney for the performance of said work on said street be and the same is hereby approved; that the City Manager of the City of Austin be and he is hereby directed upon the taking effect hereof to execute said contract on behalf of the City of Austin and in its name, and the City Clerk to attest the same with the impress of the corporate seal; that the form of construction and maintenance bond, as submitted by the City Attorney for execution by said Company in connection with the work of improving said street within said limits, be and the same is hereby approved; and the National Surety Company of New York be and the same is hereby approved as the surety thereon, and that said bond be accepted by the City upon its execution by said principal and surety.
 3. THAT the cost of said improvement of said street, within said limits, shall be paid to said Company by the owner or owners of property abutting thereon, and shall be assessed against the property by such owner or owners, in accordance with the terms of the charter and ordinances of the City of Austin; provided, that no assessment shall be made against any owner or his property in excess of the actual benefits to said property in enhanced value by means of said improvements nor until after notice and hearing to said owner as provided by said charter and ordinances.
- THAT payment to said Company for the performance of said work shall be made in accordance with said contract and specification hereby adopted.
4. THAT this resolution shall remain on file with the City Clerk for public inspection for one week before the final passage or adoption thereof, and thereafter shall be finally adopted.

The above resolution was read and laid over.

Mayor McFadden laid before the Council the following resolution:

A RESOLUTION ORDERING THE IMPROVEMENT OF
A PORTION OF EAST FIRST STREET, IN THE CITY
OF AUSTIN, TEXAS, AND APPROVING THE SPECIFICATIONS,
PROPOSAL, CONTRACT AND BOND THEREFOR.

WHEREAS, it is deemed necessary to improve the following street of the City of Austin, within the following limits-, to-wit: East First Street, between Trinity Street and Neches Street, and immediately abutting Lot 4, Original City, Block 9; and

WHEREAS, the City Engineer, of the City of Austin, has filed with the City Council complete specifications for the performance of said work by paving said street, within the limits above named, with Bitulithic pavement; and

WHEREAS, Southwest Bitulithic Company has filed with the City Council its proposal to do said work at and for the following prices, to-wit:

83 square yards of 1½" Bitulithic surface pavement, on concrete base, as specified, complete in place, for \$3.25 per square yard	----\$269.75;
75 square feet, concrete gutter, as specified, complete in place, for \$.25 per square foot	- 18.75;
50 lineal feet, of concrete curb, as specified, complete in place, for \$.60 per lineal foot	- 30.00;

and

WHEREAS, the City Attorney has prepared a contract for said work between the City of Austin and said Southwest Bitulithic Company, and also a bond for the construction and maintenance of said work by said Company with the United States Fidelity & Guaranty Co as surety, and has submitted both of said instruments to the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT said street be improved by paving the same between gutters with the Bitulithic pavement, within the limits above named, all as set forth in said specifications.
2. THAT the said specifications for said work prepared by the City Engineer be and the same are hereby adopted; that the proposal of the said Southwest Bitulithic Company to perform said work be accepted, and that said work be let to said Company; that the form of contract as prepared and submitted by the City Attorney for the performance of said work on said street be and the same is hereby approved; that the City Manager of the City of Austin be and he is hereby directed upon the taking effect hereof to execute said contract on behalf of the City of Austin and in its name, and the City Clerk to attest the same with the impress of the corporate seal; that the form of construction and maintenance bond, as submitted by the City Attorney for execution by said Company in connection with the work of improving said street within said limits, be and the same is hereby approved, and the National Surety Company of New York be and the same is hereby approved as the surety thereon, and that said bond be accepted by the City upon its execution by said principal and surety.
3. THAT the cost of said improvement of said street, within said limits, shall be paid to said Company by the owner or owners of property abutting thereon, and shall be assessed against the property of such owner or owners, in accordance with the terms of the charter and ordinances of the City of Austin; provided, that no assessment shall be made against any owner or his property in excess of the actual benefits to said property in enhanced value by means of said improvements nor until after notice and hearing to said owner as pro-

vided by said charter and ordinances.

THAT payment to said Company for the performance of said work shall be made in accordance with said contract and specification hereby adopted.

4. THAT this resolution shall remain on file with the City Clerk for public inspection for one week before the final passage or adoption thereof, and thereafter shall be finally adopted.

The above resolution was read and laid over.

Councilman Reed moved that the Council recess, subject to call of the Mayor. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Barker, Pannell, Reed, and Steck, 5; nays, none.

The Council then recessed.

P. A. McFadden

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 10, 1927.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Barker, Pannell, Reed, and Steck, 5; absent, none.

The Minutes of the last meeting were read and Councilman Pannell moved the adoption of same. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Barker, Pannell, Reed, and Steck, 5; nays, none.

T. B. Walling presented a petition, signed by a majority of the property owners on East 11th Street from San Jacinto to Red River Streets, requesting that the City pave said street with permanent paving. Councilman Reed moved that the matter be referred to the City Manager, with the request that he see if funds can be made available at the present time for the City's proportionate part of this work. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, Councilman Barker.

Councilman Barker moved that the City Council adopt "Robert's Rules of Order". Motion was seconded by Councilman Pannell and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Barker, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden, laid before the Council the following resolution:

WHEREAS, there was assessed for taxes for 1926, a certain 1924 model Chrysler automobile as the property of Arthur J. Kelleher in the sum of \$400.00; and

WHEREAS, it has been shown that said assessment is excessive and same should be \$200.00; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said assessment be corrected so as to read \$200.00, and that such fact be noted on the tax roll.

Councilman Reed moved that the above resolution be adopted. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Barker, Pannell, Reed, and Steck 5; nays, none.

Mayor McFadden laid before the Council the following ordinance;